

# PATIENT PROTECTION AND AFFORDABLE CARE ACT (PPACA)

The Patient Protection and Affordable Care Act (PPACA) commonly called the Affordable Care Act (ACA), is a United States federal statute signed into law by President Barack Obama on March 23, 2010.

**Reminder:** Every newly hired benefits eligible employee must receive the *New Health Insurance Marketplace Coverage Options and Your Health Coverage* letter, which is available on the ABC website at:

[http://www.tn.gov/assets/entities/finance/benefits/attachments/st\\_marketplace\\_form.pdf](http://www.tn.gov/assets/entities/finance/benefits/attachments/st_marketplace_form.pdf).

## PPACA Queries

ABCs are able to run PPACA queries to determine health insurance coverage eligibility for part-time and 120-day retiree rehires.

### TN\_BA350\_TN\_HOURS\_FOR\_BENEFITS and TN\_BA351\_TN\_HOURS\_FOR\_MIL\_INT

You will be prompted to enter a measurement period.

- Last year's measurement period ran from 10/6/2013 - 10/4/2014.
- This year's measurement period is 10/5/2014 - 10/3/2015.
- The measurement period is based on a FLSA week (Sunday – Saturday). This is why the dates change from year to year.
- This query must be run and closely reviewed by each ABC twice per month. The best time to pull the queries is after Absence Management processing and Balance Update (check Payroll Calendar in Edison).
- 120-day retiree rehires and part-time employees age 65 or older are not included on this report. We are not required to track these individuals due to their age and Medicare eligibility.
- If a part-time or 120-day retiree works on average 30 hours or more a week within the defined measurement period, we are required to offer the employee active health coverage, effective January 1, of the following calendar year. If retiree waits 13 weeks from retirement to begin their 120-day appointment, they are considered a new hire for PPACA purposes and their measurement period begins with their new rehire date.
- Part-time or 120-day retiree rehires who become eligible for health insurance under PPACA are also eligible for all other benefits programs available to full-time State employees (including flexible benefits and life insurance), with the exception of pension contributions if they are a 120-day retiree.
- If an employee becomes eligible for health insurance benefits under the PPACA:
  - The employee must be offered health insurance (and all other optional products as well) and will have thirty-one (31) days to complete their enrollment form. Example: If an employee becomes eligible under the PPACA for the current measurement period (10/5/14-10/3/2015), we must notify the employee by December 1, 2015, of their eligibility; and, if the employee chooses to enroll, the effective date of coverage will be January 1, 2016. If an employee is eligible under the PPACA, they are entitled to the basic life insurance coverage at no cost to them. A beneficiary will need to be designated by the employee at the time they “decline” the insurance on the enrollment form.
  - A paper enrollment form must be completed (<http://www.tn.gov/assets/entities/finance/benefits/attachments/1043.pdf>).
  - The paper enrollment form has been slightly modified to accommodate the PPACA enrollment. See lower right corner of the form for an added check box that says “PPACA eligible”. Be sure to check this box.
  - An enrollment form must be completed even if the employee declines the health insurance offer.
  - All standard dependent verification documentation is required when an employee is enrolling due to eligibility under the PPACA.
  - Do NOT upload paper enrollment forms and backup documentation via the regular method into Edison.
  - The enrollment form and all backup documentation must be scanned and e-mailed (even if the employee declines) to: [Connie.Guthrie@tn.gov](mailto:Connie.Guthrie@tn.gov) cc: [Patrice.Steinhardt@tn.gov](mailto:Patrice.Steinhardt@tn.gov) cc: [Melissa.Wiseman@tn.gov](mailto:Melissa.Wiseman@tn.gov)

The full list of current queries can be found on the **ABC webpage** in the Training box titled **Edison Query Information** ([http://www.tn.gov/assets/entities/finance/benefits/attachments/abc\\_query\\_list.pdf](http://www.tn.gov/assets/entities/finance/benefits/attachments/abc_query_list.pdf)).

## Importance of Maintaining Documentation Regarding Employees Waiving Health Coverage

If you have employees who waive coverage via paper enrollment form, you must submit these forms to (BA). These forms must be maintained on file at BA, for two (2) reasons:

1. The IRS may conduct an audit - BA is required to maintain these forms on file as proof that the eligible employee was offered coverage. If the employee waives coverage and then attempts to purchase it on the exchange and he or she states health coverage was never offered by their employer, this completed enrollment form provides proof that the coverage was offered.
2. If an employee states after their initial enrollment period that he/she was not offered coverage or that he/she signed up for coverage but was not enrolled, BA will have a copy of the waiver form to assist in the determination for an appeal or audit outcome.